

MATTHEW P. C. NOEL (SBN 242172)

mnoel@saberlaw.com

SABER LAW GROUP

101 Howard Street, Suite 400

San Francisco, California 94105

Telephone: (415) 278-1400

Facsimile: (415) 278-1401

Attorneys for Plaintiff

WESTERN BULK PTE LTD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WESTERN BULK PTE LTD

Plaintiff,

v.

CHS INC.

Defendant.

Case No.: 22-CV- 3326

Honorable Joseph C. Spero

**WRIT OF MARITIME ATTACHMENT
AND GARNISHMENT**
(Summons & Process of Attachment)

[Complaint Filed: June 7, 2022]

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the Marshal of the Northern District of California, or to his lawful Deputy,

GREETINGS:

A Verified Complaint has been filed in this Court on the 7th day of June, 2022, numbered and entitled as above, with a claim for damages in the amount of \$3,701,105.22, together with interest, costs and attorneys' fees, and a prayer for attachment, and accompanied by a declaration that the Defendant in this suit, CHS Inc., cannot be found within this District:

NOW THEREFORE, you are hereby commanded to attach the Defendant's property, tangible and intangible, in your District, to the amount sued for, held in the hands of garnishees, specifically, the Garnishee listed in Schedule A below, to wit Wells Fargo Bank N.A., 420 Montgomery Street, San Francisco, California 94104. Such property may include assets, cash, monies, funds, wire or electronic transfers, accounts, assets in checking, savings, escrow or other accounts, accounts payable, credits and/or debits, balances, certificates of deposit, contents of safety deposit boxes, letters of credit or proceeds therefrom, effects, debts, proceeds from insurance policies, receivables, stocks, bonds or other securities, sums owing under a credit agreement, or any other contractual agreements and/or other obligations, up to the amount of \$3,701,105.22, together with interest, costs and attorneys' fees, belonging to, due, held, or being transferred to, from, or for the benefit of Defendant CHS Inc. or in its name, moving through, or within the possession, custody, or control of the Garnishee.

We do further empower, strictly charge and command you to instruct the Garnishee and its agents to maintain custody, possession and control of the attached property, which shall be held by the Garnishee, and shall not be paid, disbursed, released, transferred or otherwise moved from the custody, possession or control of the Garnishee.

We do further empower, strictly charge and command you to notify the Garnishee and his agents as follows:

- 1) An attachment and garnishment has been filed pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure against Defendant CHS Inc.
- 2) The Garnishee is required to promptly forward a copy of this Writ to Defendant CHS Inc., together with the Summons, Verified Complaint, and the Order granting issuance of the Writ.
- 3) Defendant CHS Inc. is required to file with the Clerk of the United States District Court for the Northern District of California, within thirty (30) days of service of this Writ, an answer to the Verified Complaint.
- 4) The Garnishee is required to file with the Clerk of the United States District Court for the Northern District of California, within twenty-one (21) days of service of this Writ, an answer to the Verified Complaint and to mail answers to any interrogatories served with the Verified Complaint to the Plaintiff's counsel.

5) All persons claiming any interest in the property attached or garnished pursuant said Order, upon application to the Court, shall be entitled to a prompt hearing in which Plaintiff shall be required to show why the attachment should not be vacated or further relief granted.

San Francisco, California on the 9th day of June, 2022.

By: Karen L. Hom
DEPUTY CLERK
Karen L. Hom

ISSUED FOR:

SABER LAW GROUP
MATTHEW NOEL, Cal. Bar. No. 242172
mnoel@saberlaw.com
101 Howard Street, Suite 400
San Francisco, CA 94105
Telephone: (415) 278-1400
Facsimile: (415) 278-1401

Attorneys for Plaintiff
WESTERN BULK PTE LTD

Joseph T. Johnson
Luke F. Zadkovich
Zeiler Floyd Zadkovich (US) LLP
215 Park Ave. South, 11th Floor
New York, New York 10003
joe.johnson@zeilerfloydzad.com
luke.zadkovich@zeilerfloydzad.com
917-375-9511
917-868-1245

(to be admitted pro hac vice)

SCHEDULE A

Garnishees upon whom a copy of the within Process of Maritime Attachment and Garnishment shall be served:

1. Wells Fargo Bank N.A., 420 Montgomery Street, San Francisco, California 94104.

2.